

ORDER  
OF THE STATE CUSTOMS COMMITTEE OF THE RUSSIAN FEDERATION  
NO. 01-14/632 OF MAY 27, 1999  
ON ENHANCING CONTROL OF THE MOVEMENT OF GOODS  
CONTAINING INTELLECTUAL PROPERTY OBJECTS

For the purposes of enhancing the efficiency of the work aimed at uncovering the cases when goods containing intellectual property objects being moved across the customs border of the Russian Federation in violation of the applicable legislation I hereby order:

1. To enhance control of the filling in of Item 31 "Cargo Pieces and Goods Description", "Marking and Quantity - Containers Nos. - Goods Description" of the cargo customs declaration having in view that together with the description of goods, the technical specifications thereof there shall be indicated the company name, trade mark specified on the good (package) or copyright (adjacent right) object.

2. To arrange for the entry in the customs inspection reports of the trade marks, company names, origin of goods specified on the goods or package, the name of the owner of exclusive copyright (adjacent rights) specified after the copyright (adjacent right) sign (the letter "C" ("P") in a circle).

3. Should in the course of customs control there be uncovered the signs of the imported goods being possibly counterfeit (Annex 1) control shall be enhanced in respect of the observance of the effective customs rules.

To determine the authenticity of imported goods in the course of customs control under Article 183 of the Customs Code of the Russian Federation there may be persons authorized by the owner of the right, as specified in the lists mailed under the Letter of the State Customs Committee of the Russian Federation No. 01-15/20508 of October 28, 1997, provided this is not going to lead to the customs bodies incurring additional expenses and that the norms of Article 16 of the Customs Code of the Russian Federation are observed.

4. The responsibility for keeping record and analyzing the cases of the goods specified under Item 3 being processed is hereby vested in the non-tariff regulation departments (branches) of the regional customs administrations and of the customs.

5. Information on the customs processing of the goods specified under Item 3 summarized by the area of activity of regional customs administrations shall be forwarded to the Administration of the Organization of the Customs Service of the State Customs Committee of the Russian Federation.

6. A plan of work aimed at organizing customs control of the movement of intellectual property objects shall be elaborated and endorsed, such a plan providing, among other things, for the monitoring of export/import transactions, conducting appropriate raids and checkups jointly with the other law enforcement agencies in respect of participants in foreign economic activities, training of the officials of the subordinate customs bodies performing customs processing and customs control.

7. The responsibility for monitoring the implementation of the present Order is hereby vested in Deputy Chairman of the State Customs Committee of the Russian Federation O.N.Sviridov.

First Deputy Chairman

of the State Customs Committee  
of the Russian Federation

M.K.Yegorov

Annex  
to the Order  
of the State Customs Committee  
of the Russian Federation  
No. 01-14/632 of May 27, 1999

List  
of Characteristic Signs of Counterfeit (Fake) Products

1. Discrepancy between the name of the country of origin specified on the good (package) and the country of export of the good.
2. Defective (poor quality) package of the good.
3. The good's user manual being a photocopy.
4. Textile goods lacking the indication of the content of the fabric, care instructions.
5. Goods being carried in bulk or as incomplete sets (perfumes, watches, cloths, compact discs, video and audio cassettes etc.).
6. The value or insurance amount is considerably understated in comparison with similar goods.
7. Goods being labels, stickers, tags, tabs, inserts, covers, enclosures, marked boxes or rubber stamps.
8. Compact discs stacked on a rod, record carriers without records on them.
9. Compact discs, audio cassettes, video cassettes lacking the copyright (or adjacent rights) sign (the Latin letter "C" ("P") in a circle), the name of the owner of exclusive copyright (adjacent rights), the year of first release.
10. Magnetic tape for video cassettes and video cassette bodies being supplied separately.
11. The lack of information on the license agreements executed at the import (export) of lots of magnetic, optical, mechanical data carriers.
12. The goods containing intellectual property objects included in the lists (register) mailed by the Administration of the Organization of the Customs Service (or mailed earlier by the Administration of Tariff and Non-Tariff Regulation) of the State Customs Committee of the Russian Federation under the Letter of the State Customs Committee of the Russian Federation No. 01-15/20508 of October 28, 1997 if:
  - import/export is effected via the border check-points not used by the importer (exporter) of authentic goods;
  - import is effected from a country not being the place of manufacture of authentic goods (in such a case special attention shall be paid to the import of material carriers of audio and video materials from Bulgaria, Ukraine, Czech Republic, China, Singapore);
  - the importer or consignee of goods is not specified as an owner of rights in the licensees lists;
  - goods are marked with trade marks similar as close as being confused with (i.e. associated as a whole) the trade marks specified in the lists.